



Development Services Department
Environmental Coordinator
450 110th Avenue NE
Bellevue, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPOSAL NAME:	Utilities Programmatic SEPA 2020
LOCATION:	City-Wide
FILE NUMBERS:	20-108879-LM
PROPONENT:	Jim Nicholls, City of Bellevue Utilities Department
DESCRIPTION OF PROPOSAL: Programmatic SEPA review for public projects with utility pipes that exceed 12 inches in diameter within public right-of-way and/or an existing utility easement.	

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision.

DATE ISSUED: 12/10/2020

APPEAL DATE: 12/24/2020

A written appeal must be filed in the City Clerk's Office by 5 p.m. on the appeal date noted above.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); or if the DNS was procured by misrepresentation or lack of material disclosure.

Issued By: Heidi Bedwell, Planning Manager **for**
Elizabeth Stead, Environmental Coordinator
Development Services Department

Date: December 10, 2016



City of Bellevue
Development Services Department
Land Use Staff Report

Proposal Name: Utilities Programmatic SEPA 2020

Proposal Address: City of Bellevue – City-wide

Proposal Description: City of Bellevue Utilities request for programmatic review under the State Environmental Policy Act (SEPA) for replacement or installation of water, sewer, and storm pipes and their appurtenances to exceed twelve inches in diameter within public rights of way and or public easement.

File Number: 20-108879-LM

Applicant: James Nicholls, City of Bellevue Utilities Department

Planner: Reilly Pittman, Land Use Planner

Decisions Included SEPA Threshold Determination

**State Environmental Policy Act
Threshold Determination:** **Determination of Non-Significance (DNS)**

By: *Heidi Bedwell, Planning Manager* for
Elizabeth Stead, Environmental Coordinator
Development Services Department

Application Date: May 12, 2020
Notice of Application Date: July 2, 2020
Decision Publication Date: December 10, 2020
Project Appeal Deadline: December 24, 2020

For information on how to appeal a proposal, visit the Permit Center at City Hall or call (425) 452-6864. Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the proposal within the noted comment period for a SEPA Determination. Appeal of the Decision must be received in the City Clerk's Office by 5 PM on the date noted for appeal of the decision.

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Documents Referenced in File

1. Project Narrative
2. SEPA Checklist
3. Programmatic Review Forms

I. Proposal Description, Objectives, and Limitations

This programmatic SEPA review is for public utility infrastructure within the City of Bellevue where the proposed size of storm water, water, and sewer facilities, lines, equipment, hookups, or appurtenances will exceed twelve inches in diameter and thus otherwise be subject to SEPA review. This review concerns any public project requiring utility infrastructure or relocation utilities but is primarily focused on capital projects listed in the City of Bellevue Utility Department Capital Improvement Plan. All projects that are covered by this review are located in the public right-of-way or within an existing public easement across private property and do not require new right of way or an easement be obtained.

SEPA is required for utility systems and facilities projects when the project is not otherwise exempt—e.g. for repair and maintenance—and the proposed pipe size exceeds twelve inches in diameter as specified at WAC 197-11-800(23)(b). Programmatic, non-project review is an appropriate option in certain circumstances to cover those installations where the twelve-inch pipe diameter standard is the only factor that triggers SEPA review. The intent is to streamline required permitting by avoiding unnecessary environmental review, where increased pipe size has little measurable impact on the environment

A project covered by this review could include maintenance of aging systems, repair of failing systems, replacement of components that are reaching the end of their useful life, and enlargement of an existing system to handle additional capacity. Projects could also include the installation of new facilities or systems, with limitations, when necessary to respond to growth and demand on the system. The project could also be part of road improvement projects that include utilities. In any context, this programmatic review addresses the circumstance in which existing utilities are to be repaired, replaced, or newly installed in which the replacement pipe will exceed twelve inches in diameter. The addition of a larger pipe size to a project under the repair and replacement exemption under WAC 197-11-800(3) will not, in most cases, constitute “material expansion.”

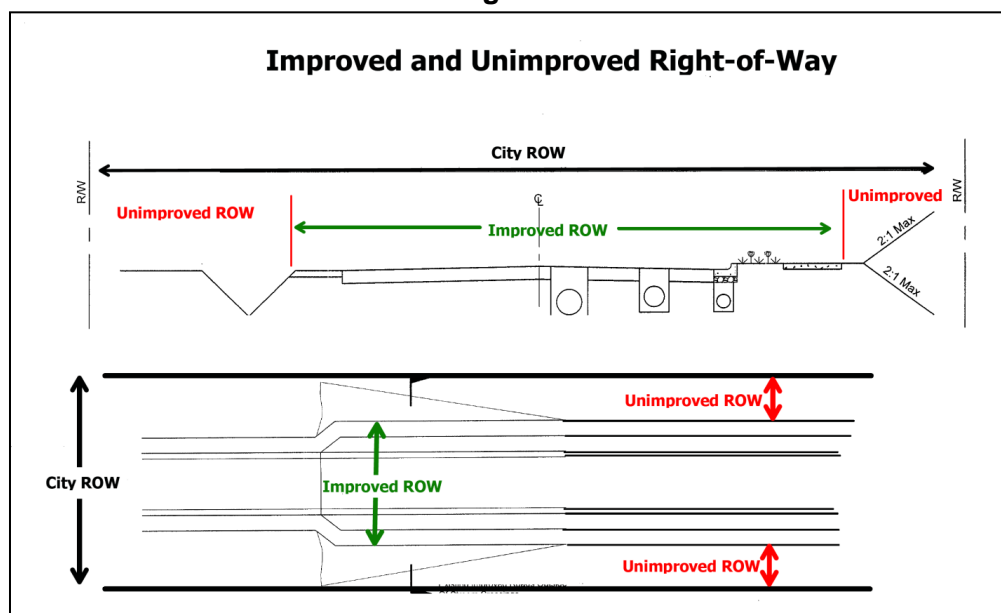
Utility projects may be exempt from SEPA, be covered by this programmatic review or have aspects that require separate SEPA review as part of the required permits. The following describes the possible SEPA process determined by the project scope.

- The repair, remodeling, and maintenance of utilities, involving no material expansions or changes in use beyond that previously existing, is already exempt from SEPA review and is not covered by this programmatic approval. In lands covered by water, only minor repair or minor replacement is exempt from SEPA.
 - For clarification on what is meant by material expansion and minor repair, it is necessary to state that moderate increase pipe size is not considered a material expansion and can be minor repair. Typical utility construction has used a trenching method dug by a 24-inch wide backhoe. As a result, an existing pipe could be enlarged up to a 24-inch wide pipe and have no material expansion of impacts to sensitive areas beyond that already approved. In lands covered by water, pipe replacement, including

- enlargement, is possible based on the examples in WAC 197-11-800(3) as a piling may be replaced with a larger diameter piling and considered minor repair. Provided a pipe is buried beneath the surface, an increase in pipe size is considered a de minimus impact and is not considered to be a material expansion, provided all disturbance is contained within the right-of-way or easement.
- Lands covered by water include streams, lakes, ponds, and wetlands
 - Projects that exceed other SEPA exemptions stated in WAC 197-11-800 or as amended by the City's Environmental Procedures Code 22.02 are not covered by this programmatic review. Large scale projects that consist of a series of actions such as projects to provide City-wide capacity or service that cumulatively may have an adverse environmental impact require separate SEPA review with required permits. Projects proposing a pipe size of 42 inches or greater may qualify under this programmatic SEPA provided the pipe is located within the improved right-of-way or easement
 - Projects that replace existing system components to meet current engineering design standards or provide new increased capacity, exceeding twelve inches in diameter, to meet demand as required in the City Comprehensive Plan are not exempt from SEPA and would be covered by this programmatic approval.

Therefore, projects covered by this programmatic SEPA determination may exceed minor repair and replacement, can be new services, and are not large projects that improve service city-wide. However, a project with potential to be covered by this review may still not qualify for coverage based on the characteristics of the individual project site/area. Public right-of-way and easements can be improved or unimproved as depicted below in figure 1.

Figure 1



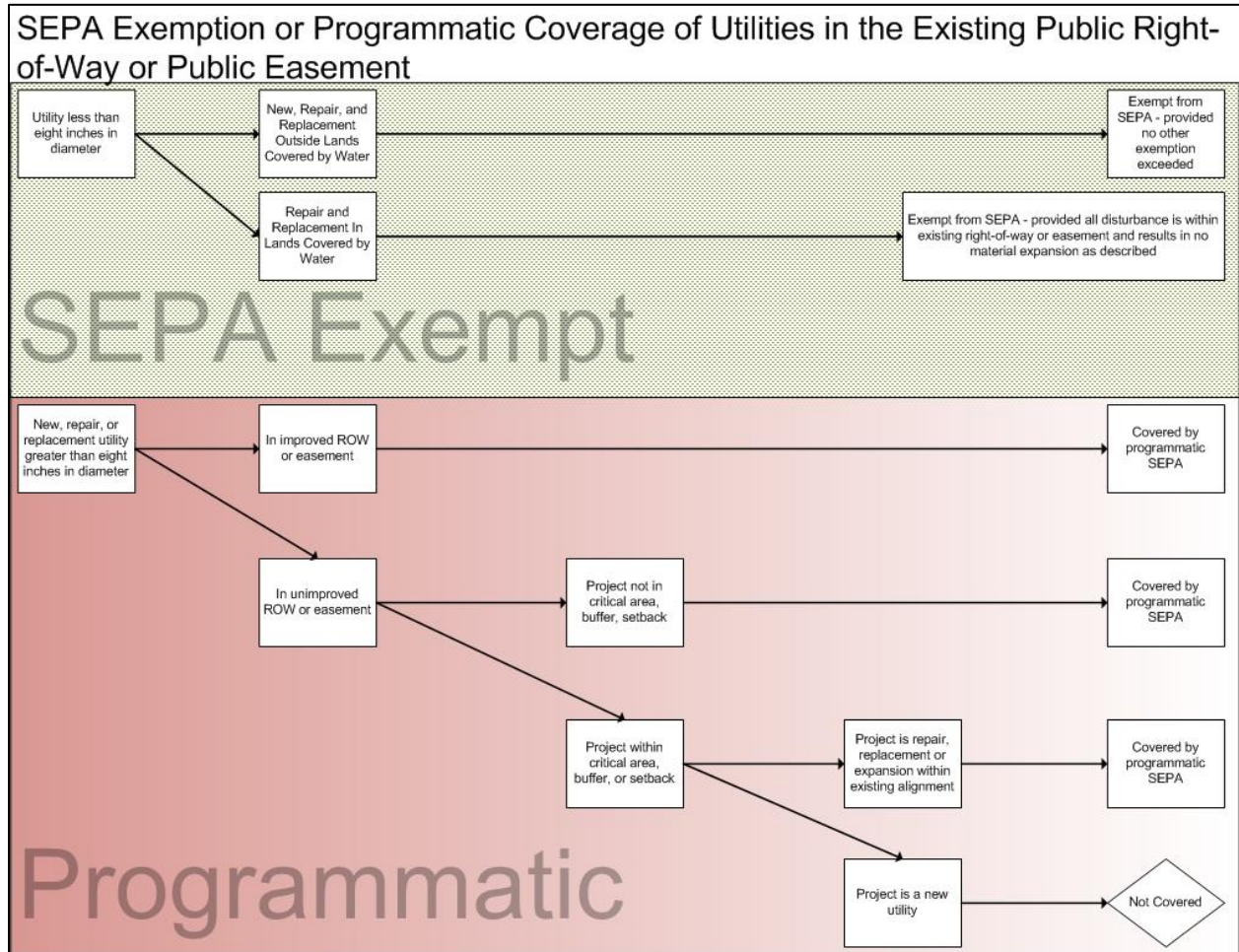
Improved typically means that surface is paved, has ornamental landscaping, or has a structure or other man-made improvements covering the ground. In some cases, unimproved right-of-way can include environmentally critical areas as described later in this report.

After the examination of SEPA applicability above, the following evaluation should be applied to each potential project to determine if the programmatic review can be used.

- The project is within improved public right of way or public easement and is covered by this programmatic review
- The project is within unimproved public right of way or public easement outside of critical areas, buffers, or setbacks and is covered by this programmatic review.
- Projects in unimproved public right of way or public easement and located in critical areas, buffers, or setbacks are limited to those actions characterized as repair, remodeling and maintenance under WAC 197-11-800(3) that may include the replacement of existing facilities with larger pipes and facilities and are covered by this programmatic SEPA if:
 - The enlarged utility line, replacing the existing, is placed in the same right-of-way or easement alignment and not in a new alignment, causing new disturbance (i.e. “in-place”).
 - All disturbances of the ground and vegetation on the surface are contained within the existing public right of way or easement corridor.
 - All projects are subject to the BMPs found as attachment 1 to this report.

Figure 2 (attachment 2) below depicts a flowchart showing what projects qualify for coverage under this programmatic SEPA. Based on the prior use of this approval, the potential projects were grouped together and submitted in a combined clearing and grading permit for review. This allows staff to ensure that the projects contained in the application are consistent with the limitations and requirements of this programmatic SEPA review. Each application will include a notification form found as attachment 3 of this report.

Figure 2



II. Site Description and Critical Areas

A. Site Description

All projects are proposed in either City of Bellevue right-of-way or public easement across private property which may or may not be located in critical areas.

B. Critical Areas

A utility project may be located in any critical areas stated in Land Use Code 20.25H which provide the functions and values described below.

i. Streams and Riparian Areas

Streams are classified into four types, based on their flow and capacity to support fish. Artificial channels (e.g., ditches) are generally not protected, unless they are used by salmonids or convey a stream that previously occurred naturally in that location.

Stream needs healthy riparian areas along its banks and floodplain. Riparian vegetation provides shade, which protects water quality; retains soil, which prevents erosion that can affect salmon spawning and feeding areas; holds back flood flows; and provides wildlife habitat and the large woody debris that stores sediments, slows flood velocities, and creates good fish habitat.

ii. Wetlands

Wetlands include the vegetated edges of ponds and areas commonly called swamps, marshes, and bogs. Frequently, their water is only visible in the spring. Wetlands are classified into four categories, based on a combination of habitat, water quality, and flood-flow-reduction functions.

Wetlands provide rearing and foraging habitats for fish and wildlife and food chain support for downstream waters. Wetlands provide natural water quality improvement; flood-flow reduction and storage; shoreline erosion protection; and opportunities for passive recreation. Many urban wetlands are heavily disturbed, but still provide valuable water quality treatment and flood-flow reduction.

iii. Floodplains

Flood hazard areas are those subject to 100-year floods (identified on FEMA Flood Insurance Rate Maps). These areas are designated to protect development from flooding and to protect the inherent functions of floodplains. Undeveloped floodplains store water and slow the downstream delivery of flood flows, reducing the impacts of a flood and recharging wetlands, streams and underground aquifers. Floodplain development reduces the floodplain's water storage capacity and puts valued property and infrastructure in the path of floodwaters. Runoff from impervious surfaces changes flood size and frequency and can degrade water quality.

iv. Habitat Associated with Species of Local Importance

Species of local importance are specifically recognized local populations of native species that are at risk of being lost from Bellevue—western pond turtle, Oregon spotted frog, western toad, Chinook salmon, bull trout, coho salmon, river lamprey, bald eagle, peregrine falcon, common loon, pileated woodpecker, Vaux's swift, merlin, western grebe, great blue heron, osprey, green heron, red-tailed hawk, western big-eared bat, Keen's myotis (bat), long-legged myotis (bat), and long-eared myotis (bat)—and whose presence can be an indicator of environmental health.

Habitats for these species provide the food, water, nesting/rearing, and cover necessary to support their populations. Protected habitats include naturally occurring ponds under 20 acres, concentrations of dead trees, caves and roosting structures, and large stands of conifers.

v. Geologic Hazard Areas

Geologic hazards pose a threat to the health and safety of citizens when commercial, residential, or industrial development is inappropriately sited in areas of significant hazard. Some geologic hazards can be reduced or mitigated by engineering, design, or modified construction practices. When technology cannot reduce risks to acceptable levels, building in geologically hazardous areas is best avoided (WAC 365-190).

Steep slopes may serve several other functions and possess other values for the City and its residents. Several of Bellevue's remaining large blocks of forest are located in steep slope areas, providing habitat for a variety of wildlife species and important linkages between habitat areas in the City. These steep slope areas also act as conduits for groundwater, which drains from hillsides to provide a water source for the City's wetlands and stream systems. Vegetated steep slopes also provide a visual amenity in the City, providing a "green" backdrop for urbanized areas enhancing property values and buffering urban development.

III. Public Notice and Comment

Application Date:	May 12, 2020
Public Notice (500 feet):	July 2, 2020
Minimum Comment Period:	July 16, 2020

The Notice of Application for this project was published in the City of Bellevue Weekly Permit Bulletin and Seattle Times on July 2, 2020. It was mailed to property owners within 500 feet of the project site. No comments were received.

IV. Summary of Technical Reviews

A. Clearing and Grading

The Clearing and Grading Division of the Development Services Department reviewed the proposal for compliance with Clearing and Grading codes and standards and has approved the application.

B. Utilities

The Utilities Review section of Development Services Department reviewed the proposal for compliance with Utility codes and standards and has approved the application.

C. Transportation

The Transportation Review section of Development Services Department reviewed the proposal for compliance with Transportation codes and standards and has approved the application.

D. Fire

The Fire Department review section of Development Services Department reviewed the

proposal for compliance with Fire codes and standards and has approved the application.

V. State Environmental Policy Act (SEPA)

Environmental review is required for the proposal under the State Environmental Policy Act (SEPA), Chapter 43.21C RCW and Washington Administrative Code (WAC) 197-11, and the City's Environmental Procedures Code, Chapter 22.02 of the Bellevue City Code (BCC). The Environmental Checklist together with information provided below (and in the official file) adequately discloses expected environmental impacts associated with the proposed Design Review approval. The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under SEPA.

Adverse impacts which are less than significant are subject to City Codes or Standards, which are intended to mitigate those impacts. In cases where the City has adopted development regulations to systematically avoid or mitigate adverse impacts, those standards and regulations, where applicable, will normally constitute adequate mitigation of the impacts. Where such impacts and regulatory items correspond, further documentation is not necessary. Where impacts and regulations do not correspond, or where unanticipated impacts are not mitigated by existing regulations, BCC 22.02.140 provides substantive authority to mitigate impacts disclosed through the environmental review process.

The primary purpose of this programmatic SEPA is to address instances where an existing or new system or facility is proposed that is more than twelve inches in diameter. WAC 197-11-8(23)(b) exempts utility projects from SEPA review provided the pipe size does not exceed twelve inches in diameter.

A discussion of the impacts associated with the project is noted below, together with any specific conditions of approval. These impacts will be mitigated to less than significant through exercise of Code authority as well as through project-specific Conditions of Approval contained in this report.

A. Earth, Air, And Water

Bellevue's rainy season work restrictions will limit the possibility for detrimental erosion and sedimentation. A majority of the proposed projects will be within existing and improved right-of-way which will not result in significant risk for erosion and exposed soils. Projects will be grouped for review under a master Clearing and Grading permit reviewed by Land Use and Clearing and Grading staff, which may have requirements for sedimentation and erosion control plans and BMPs such as:

- Silt fencing
- Temporary sedimentation ponds
- Catch basin protection
- Covering slopes and materials to prevent erosion

Turbidity monitoring may be required for work in or near wetlands and streams, however, to qualify under this approval utility repair and maintenance in wetland and streams must be bored, drilled, or installed using a similar technique which does not require trenching or open cuts. Where boring or drilling is done, the only areas for potential soil exposure are at the bore/drill entry and exit pits.

B. Animals and Plants

The project areas are within the public right-of-way or public easement on private property. However, projects occur throughout the City which may be within or on the fringe of critical areas which can contain quality habitat for birds and mammals. The proposed activities are designed to be minimally invasive in regard to wildlife habitat as they are targeted to be within the improved right-of-way or easement. For a project to be covered by this programmatic review, no trees greater than 4 inches in diameter can be removed within structure setbacks and buffers. Tree removal is not allowed in critical areas and stream buffers. Disturbance is limited to those areas where disturbance has already occurred in easements and is limited to access corridors in steep slope critical areas. No new permanent disturbance can be created, and any temporary disturbance is required to be restored to pre-construction conditions.

In order to avoid impacts and any temporary disturbance from replacement of utility systems and facilities within streams, stream buffers, wetlands, and ponds the use of boring or drilling as the method for installation is required. Any boring entry and exit pits must also be located outside of any of these same areas. Entry/exit pits in buffers other than from streams and structure setbacks is allowed, provided temporary disturbance is restored.

C. Noise

The project activities may occur adjacent to various land use zoning districts. Construction noise generated by activities covered under this programmatic SEPA is limited by the City's Noise Ordinance (Chapter 9.18 BCC) which regulates construction hours and noise levels.

VI. Conditions of Approval

The following conditions are imposed under the Bellevue City Code or SEPA authority referenced:

- 1. Programmatic Clearing and Grading Permit Required:** Issuance of this programmatic SEPA does not constitute an approval of a development permit. A clearing and grading permit (Type GD) is required. This GD permit expires after three years and a new GD permit must be applied for and issued to continue this programmatic approval for the full six years allowed. Plans submitted as part of a permit application shall be consistent with the activity included under this approval.

Authority: Bellevue City Code 23.76.035

Reviewer: Reilly Pittman, Development Services Department

2. **NPDES Compliance:** In order to ensure that all work under this programmatic approval is tracked, each project instance requires an individual GK application be submitted.

Authority: Bellevue City Code 23.76.035

Reviewer: Reilly Pittman, Development Services Department

3. **Exempt Projects:** Proposals that are for utility pipes that are twelve inches or less in diameter are exempt from SEPA per WAC 197-11-800(23)(b) unless they are located in lands covered by water or any critical area defined in LUC 20.50.

Authority: Bellevue City Code 22.02

Reviewer: Reilly Pittman, Development Services Department

4. **Programmatic Notification Forms:** The Utility project manager is required to complete a notification form packet as part of their GK permit applications. This is intended to provide Development Services staff with the information necessary to ensure compliance with this programmatic SEPA review and applicable City codes. It also serves as a tool for the applicant in determining if the scope of a particular project is within the scope of the programmatic SEPA review. A project may also be reviewed under the pre-development services review process prior to the submittal of any development permit application. A utility project may be exempt from SEPA but still use the programmatic clearing and grading permit.

Authority: Land Use Code 20.25H.055, Bellevue City Code 23.02

Reviewer: Reilly Pittman, Development Services Department



DEVELOPMENT SERVICES DEPARTMENT
450 110TH AVENUE NE
BELLEVUE, WA 98009-9012

SEPA Environmental Checklist

If you need assistance in completing the checklist or have any questions regarding the environmental review process, please visit the Land Use Desk in the Permit Center between 8 a.m. and 4 p.m., Monday through Friday (Wednesday, 10 to 4) or call or email the Land Use Division at 425-452-4188 or landusereview@bellevuewa.gov. Assistance for the hearing impaired: Dial 711 (Telecommunications Relay Service).

Purpose of checklist:

The City of Bellevue uses this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies and reports. Please make complete and accurate answers to these questions to the best of your ability in order to avoid delays.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The City may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

PLEASE REMEMBER TO SIGN THE CHECKLIST. Electronic signatures are also acceptable.

A. Background [\[help\]](#)

1. Name of proposed project, if applicable: [\[help\]](#)
Programmatic SEPA review for public utility projects where pipes and appurtenances exceed 8-inches in diameter within public Right-of-Way and/or existing utility easements.
2. Name of applicant: [\[help\]](#)
James B. Nicolls, PE Senior Engineer
3. Address and phone number of applicant and contact person: [\[help\]](#)
450 110th Ave NE, Bellevue Wa 98004, 425-452-2869
4. Date checklist prepared: [\[help\]](#)
Click here to enter a date.
5. Agency requesting checklist: [\[help\]](#)
City of Bellevue
6. Proposed timing or schedule (including phasing, if applicable): [\[help\]](#)
The proposed permit is for a 4 year period November 2020 - November 2024
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. [\[help\]](#)
The scope of the proposal may change based on the council approved bi-annual CIP program.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. [\[help\]](#)
None
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [\[help\]](#)
None known.
10. List any government approvals or permits that will be needed for your proposal, if known. [\[help\]](#)
*CIP Program approved budget
Clearing & Grading and Right-of-Way use permits will be required depending on project location.*
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)
[\[help\]](#)

A. Facilities in Existing Improved Roads

This project type involves installation of piped utility systems greater than 12-inches in diameter within the improved portion of any existing public or private street, provided that the utility installation does not increase the area already cleared and graded by the existing street improvement.

B. Facilities in Existing Bridges, Including Approaches

This project type involves installation of piped utility systems greater than 12-inches in diameter attached to an existing bridge, provided that the utility installation does not increase the area otherwise already cleared and graded by the existing bridge and approaches.

C. Facilities Crossing Streams in Existing Road Prism

This project type involves installation of piped utility system greater than 12-inches in diameter within the improved portion of any existing public street or private street that crosses over a stream utilizing a culvert for stream passage provided that:

- The utility installation does not increase the area otherwise already cleared and graded by the existing improvement.
- The utility installation is above or below the existing culvert and does not alter the configuration of the culvert and does not limit the potential to replace culverts at the natural stream gradient.

D. Facilities Installed in Conjunction with Exempt Road Improvements

This project type involves installation of piped utility systems (up to 24-inch-diameter water and sewer, up to 36-inch-diameter stormwater) within the area of a minor road and street improvement that is exempt as provided in Washington Administrative Code (WAC) 197-11-800(2)(c) provided that the utility installation does not increase the area otherwise cleared and graded by the exempt road and street improvement.

E. One to One Replacement within Wetlands, Streams, and Lakes not within Shoreline Jurisdiction

This project type involves replacement of an existing utility pipeline by a pipeline that serves the same function (connects the same elements of the system). Installation limitations consist of:

- Any type of type of wetland
- Type F water, Type N water, or Type O water, but not including a Type S water (shoreline)

Provided that the utility installation:

- Is bored, drilled, or otherwise installed under wetland or the bed of the stream;
- Is installed in a permanent carrier pipe of steel or similar durable material; and
- The portion within the buffer is either:
 - Bored, drilled, or otherwise installed below the surface, or
 - Is installed in a buffer if the buffer is currently disturbed, no trees greater than 4 inches in diameter are removed, and the disturbed area is subsequently restored.

F. One to One Replacement within Critical Area Steep Slopes

This project type involves replacement of any existing pipeline by a pipeline that serves the same function (connects the same elements of the system). Installations

- Must be located within the existing utility corridor maintained for utility access, which results in no disturbance is allowed outside the area disturbed for original installation.
- A geotechnical report must document that the slopes are not unstable and that the installation will not result in a decrease in stability.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and

range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. [\[help\]](#)

City wide

B. Environmental Elements [\[help\]](#)

1. Earth [\[help\]](#)

- a. General description of the site: [\[help\]](#) (select one): ☒ Flat, ☒ rolling, ☒ hilly, ☐ steep slopes, ☐ mountainous, other: **Topography in the city varies greatly. For these elements of the proposal, work on roads generally would be within an improved surface likely ranging from a 2% to 6% slope and in rare cases up to a 15% slope. Work in roadways will not increase the area already cleared and graded by the existing street improvement. Utilities in easements traverse a range of topography.**

- b. What is the steepest slope on the site (approximate percent slope)? [\[help\]](#)

The steepest slopes within the project area for easements outside of Critical Areas will be based on the slope of the existing utility corridor generally ranging from 2% to 6% and in rare cases up to 20%. In some cases, utility corridors exist across former steep slopes and are located in previously disturbed areas usually with a temporary narrow roadway above the pipeline for utility access.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. *The native soil types will vary between sites; however, the work will be conducted in improved road prisms. Therefore, native soil would be encountered only in cases where the utilities are in native soils below filled areas. (2014 Checklist)*
Click here to enter

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [\[help\]](#)

For work conducted in improved road prisms, unstable soils will have previously been addressed for the immediate vicinity. For work in geologic hazard areas, a geological assessment will be required to assure that projects do not result in unstable conditions. (2014 Checklist).

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [\[help\]](#)

Quantities would vary on a case-by-case base depending largely upon depth of utility facilities. Utility installation will not increase the area already cleared and graded by the existing street improvements or previously excavated in utility easement. If clean backfill is required, it will be generated from off-site.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. [\[help\]](#)

Temporary erosion may occur during and immediately following activities. Standard erosion control Best Management Practices (BMPs) will apply to the project as noted in "h" below.

Additionally, all material excavated or stockpiled must be within the limits of the improved curb to curb or should to shoulder improved portion of the roadway.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? [\[help\]](#)

No new impervious surface will be added to the sites as part of the utility action.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: [\[help\]](#)

Implementation of temporary erosion control measures and BMPs will be used during installation, including:

- **Silt fencing which will provide a barrier to sediment leaving the site in stormwater runoff.**
- **Catch basin inlet protection which will assure that materials carried by rain and runoff will be intercepted and discharge to the storm drainage system and ultimately streams will be reduced.**
- **Temporary sedimentation ponds which will assure that sediments carried by rain and runoff will be allowed to settle prior to discharge to the storm drainage system, reducing the sediment load into the streams the runoff eventually enters.**
- **Covering for slopes and stockpiles which will reduce the potential that excavated and stockpiled materials will be eroded by rainfall or transported in runoff.**
- **Others as needed**

2. Air [\[help\]](#)

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. [\[help\]](#)

Traffic associated with construction activities may increase congestion, which would temporarily increase emissions from idling vehicles.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. [\[help\]](#)

No.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any: [\[help\]](#)

The overall project will include typical mitigation measures to minimize short-term air quality effects caused by dust and heavy equipment emissions. Mitigation measures include:

- **Require all City crews and contractors to comply with Puget Sound Clean Air Agency (PSCAA) regulations for dust control during construction.**
- **Maintain the engines of equipment according to manufacturers' specifications.**
- **Minimize idling equipment while not in use.**

3. Water [\[help\]](#)

a. Surface Water :

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. [\[help\]](#)

Throughout Bellevue there is a variety of surface water in the immediate vicinity of areas with utilities. In general; however, roads and utilities are not located in the immediate vicinity of surface water. Type and name of surface water varies by location.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. [\[help\]](#)

Based on the project location, it is possible that installation will occur within 200 feet of surface water. All new utility installation work and excavated and stockpiled material will be confined to the improved portion of the roadway. In the case of work within easements, BMPs will be implemented in order to limit the material that will migrate into nearby surface water.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. [\[help\]](#)

None.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. [\[help\]](#)

No.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [\[help\]](#)

This varies by project location.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. [\[help\]](#)

No.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. [\[help\]](#)

No.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. [\[help\]](#)

None.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. [\[help\]](#)

Possible stormwater runoff generated at the site during completion of interim actions will be properly controlled using temporary erosion control measure and applicable BMPs to eliminate off-site runoff potential.

- 2) Could waste materials enter ground or surface waters? If so, generally describe. [\[help\]](#)

No. Proper control measures will be implemented.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. [\[help\]](#)

Stormwater collection systems project may be put in place to optimize the system. However, stormwater will not be transferred between drainage basins.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: [\[help\]](#)

During utility installation, specific Best Management Practices (BMPs) associated with the specific location and types of action would be applied. Generally the BMPs isolated excavated material from action of rainfall and other sources of erosion and intercept sediment before it can enter stormwater collection systems and streams.

4. Plants [\[help\]](#)

- a. Check the types of vegetation found on the site: [\[help\]](#)

☒deciduous tree: alder, maple, aspen, other: *Click here to enter text.*

☒evergreen tree: fir, cedar, pine, other: *Click here to enter text.*

☒shrubs

☒grass

☒pasture

- ☒crop or grain
- ☒Orchards, vineyards or other permanent crops.
- ☒wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other: *Click here to enter text.*
- ☒water plants: water lily, eelgrass, milfoil, other: *Click here to enter text.*
- ☒other types of vegetation: **Varies based on location.**

- b. What kind and amount of vegetation will be removed or altered? [\[help\]](#)

The kind and amount of vegetation to be removed or altered will vary by location and will be generally within existing road improvements. Utility facilities installed in an existing road improvement or utility corridor, in which native vegetation has been removed and non-vegetated surface is maintained will not remove native vegetation and will be restored following installation.

No wetland or stream vegetation would be disturbed because the installation would be bored beneath the resource. Portions of utility actions in this type of location may include installation within a buffer associated with a stream if the buffer is currently disturbed. No trees greater than 4 inches in diameter would be removed.

- c. List threatened and endangered species known to be on or near the site. [\[help\]](#)

No plant species of federal concern or included in the Washington Natural Heritage Program database will be removed or altered. It is unlikely that endangered plant species would be present in areas previously disturbed for utility installation.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [\[help\]](#)

The restoration of previously disturbed buffer area will be restored following utility replacement as part of the proposal. Reference paragraph 11.E above.

- e. List all noxious weeds and invasive species known to be on or near the site. [\[help\]](#)
Varies by location.

- Garlic mustard (*Alliaria petiolate*)
- Black locust (*Robinia pseudoacacia*),
- Himalayan blackberry (*Rubus armeniacus*),
- Poison Hemlock (*Conium maculatum*),
- Japanese Knotweed (*Polygonum cuspidatum*),
- Reed canarygrass (*Phalaris arundinacea*),
- Old man's beard (*Clematis vitalba*),
- Field bindweed (*Convolvulus arvensis*),
- Bittersweet nightshade (*Solanum dulcamara*),
- Bird's-foot trefoil (*Lotus corniculatus*),
- Spotted jewelweed (*Impatiens capensis*),
- Sow thistle (*Sonchus oleraceus*),

- Canada thistle (*Cirsium arvense*),
- Creeping buttercup (*Ranunculus repens*),
- English ivy (*Hedera helix*),
- Herb Robert (*Geranium robertianum*),
- Oxeye daisy (*Leucanthemum vulgare*),
- Scotch broom (*Cytisus scoparius*),
- Queen Anne's lace (*Daucus carota*),
- Bittersweet nightshade (*Solanum dulcamara*),
- bull thistle (*Cirsium vulgare*),
- Nipplewort (*Lapsana communis*),
- Tansy ragwort (*Senecio jacobaea*),
- Yellow archangel (*Lamiastrum galeobdolon*),
- Cherry laurel (*Prunus laurocerasus*),
- Watercress (*Nasturtium officinale*),
- Curly-leaf pondweed (*Potamogeton crispus*),
- Butterfly bush (*Buddleia davidii*)

5. Animals [\[help\]](#)

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. [\[help\]](#)

Examples include:

birds: ☒hawk, ☒heron, ☒eagle, ☒songbirds, other: **Varies by location.**

mammals: ☒deer, ☒bear, ☒elk, ☒beaver, other: **Varies by location.**

fish: ☒bass, ☒salmon, ☒trout, ☒herring, ☒shellfish, other: **Varies by location.**

- b. List any threatened and endangered species known to be on or near the site. [\[help\]](#)

Varies by location. Generally such species are associated with more intact natural settings which generally are associated with critical areas or large areas of open space

- c. Is the site part of a migration route? If so, explain. [\[help\]](#)

The City of Bellevue is located within the Pacific Coast Flyway. This intercontinental migration corridor includes Puget Sound and supports a variety of species.

- d. Proposed measures to preserve or enhance wildlife, if any: [\[help\]](#)

Where native vegetation is present, it will be restored after construction. The restoration of previously disturbed buffer area will be restored following utility replacement as part of the proposal. Reference paragraph 11.E above

- e. List any invasive animal species known to be on or near the site. [\[help\]](#)
New Zealand mudsnails (*Potamopyrgus antipodarum*)

All work must comply with established City of Bellevue BMPs for work in areas with mudsnail infestation.

6. Energy and Natural Resources [\[help\]](#)

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. [\[help\]](#)

Electricity and petroleum fuels may be used to operate equipment during the installation of facilities.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. [\[help\]](#)

No.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: [\[help\]](#)

None.

7. Environmental Health [\[help\]](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. [\[help\]](#)

No

- 1) Describe any known or possible contamination at the site from present or past uses.

[\[help\]](#)

The presence and type of contamination will be determined on a project by project basis.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. [\[help\]](#)

PSE natral gas lines are located throughout the city. The location of the Olympic pipe line is well documented.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. [\[help\]](#)

Fuel, oil and lubricants will be used during construction.

- 4) Describe special emergency services that might be required. [\[help\]](#)

It is not anticipated that special emergency services will be required for the project.

- 5) Proposed measures to reduce or control environmental health hazards, if any: [\[help\]](#)

No environmental health hazards are expected to occur.

b. Noise [\[help\]](#)

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [\[help\]](#)

No existing noises in the area are expected to affect the project.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)?
Indicate what hours noise would come from the site. [\[help\]](#)

Construction vehicles and equipment will generate temporary noise during clearing, excavation, and placement of backfill. Utility action will occur during the hours permitted by the City of Bellevue for construction noise.

- 3) Proposed measures to reduce or control noise impacts, if any: [\[help\]](#)

Project construction hours will be limited to the City's standard construction hour requirements and comply with the City of Bellevue noise Ordinance requirements.

8. Land and Shoreline Use [\[help\]](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. [\[help\]](#)
Work within a shoreline jurisdiction area has excluded from this application. Reference paragraph 11.E above.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? [\[help\]](#)

None.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: [\[help\]](#)

No.

- c. Describe any structures on the site. [\[help\]](#)

Structures may be present on sites where utilities are in easements, but utility corridors will not affect structures.

- d. Will any structures be demolished? If so, what? [\[help\]](#)

No.

- e. What is the current zoning classification of the site? [\[help\]](#)

Varies by location. Right of way generally has the same zoning as surrounding land.

- f. What is the current comprehensive plan designation of the site? [\[help\]](#)

Varies by location.

- g. If applicable, what is the current shoreline master program designation of the site? [\[help\]](#)

No applicable as this proposal does not include work in the shoreline jurisdiction.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. [\[help\]](#)

Varies by location. Provisions are made for limited work in wetlands geological hazard areas and streams and associated buffers. Work in critical areas will not result in additional disturbance beyond that provide for initial utility installation. For wetlands and streams utilities must be bored or drilled.

- i. Approximately how many people would reside or work in the completed project? [\[help\]](#)

None.

- j. Approximately how many people would the completed project displace? [\[help\]](#)

None.

- k. Proposed measures to avoid or reduce displacement impacts, if any: [\[help\]](#)

None required based on the type of locations.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: [\[help\]](#)

Projects to be completed include water, sanitary sewer, and storm drainage projects based on the current City of Bellevue Capital Improvement Plan.

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: [\[help\]](#)

The project locations are within existing road improvement or utility corridors

9. Housing [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. [\[help\]](#)

None.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. [\[help\]](#)

No housing units will be eliminated by the project.

- c. Proposed measures to reduce or control housing impacts, if any: [\[help\]](#)

None needed.

10. Aesthetics [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? [\[help\]](#)

No new above grade structures are associated with the project.

- b. What views in the immediate vicinity would be altered or obstructed? [\[help\]](#)

No views will be altered or obstructed.

- c. Proposed measures to reduce or control aesthetic impacts, if any: [\[help\]](#)

None needed.

11. Light and Glare [\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? [\[help\]](#)

None.

- b. Could light or glare from the finished project be a safety hazard or interfere with views? [\[help\]](#)

No light or glare will occur as a result of the finished project.

- c. What existing off-site sources of light or glare may affect your proposal? [\[help\]](#)

None.

- d. Proposed measures to reduce or control light and glare impacts, if any: [\[help\]](#)

None needed.

12. Recreation [\[help\]](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity? [\[help\]](#)

This will vary by project location.

- b. Would the proposed project displace any existing recreational uses? If so, describe. [\[help\]](#)

No.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: [\[help\]](#)

No impacts on recreation are expected during utility action.

13. Historic and cultural preservation [\[help\]](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. [\[help\]](#)

Based on the types of locations where utility actions will take place, no sites are listed on or

proposed for national, state, or local preservation registers.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. [\[help\]](#)

The presence of landmarks, features or evidence of will vary by project location.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. [\[help\]](#)

If warranted, potential methods include the DAHP EZ-1 Form followed by an archaeological investigation.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. [\[help\]](#)

Based on the types of locations where utility actions will take place, it is not expected that they will not impact any historic, cultural, or archaeological resources.

14. Transportation [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. [\[help\]](#)

The project areas are served by a variety of public streets with some located within the roadway prism. Specific streets and highways vary by location.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? [\[help\]](#)

Varies by location.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? [\[help\]](#)

None.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). [\[help\]](#)

No.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. [\[help\]](#)

No.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? [\[help\]](#)

None.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. [\[help\]](#)

No.

- h. Proposed measures to reduce or control transportation impacts, if any: [\[help\]](#)

No transportation impacts are expected for the completed project. Temporary impacts to transportation may occur during construction.

15. Public Services [\[help\]](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. [\[help\]](#)

No.

- b. Proposed measures to reduce or control direct impacts on public services, if any. [\[help\]](#)

The project will not directly or adversely affect public services.

16. Utilities [\[help\]](#)

- a. Circle utilities currently available at the site: [\[help\]](#)
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other

Click here to enter text.

- c. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. [\[help\]](#)

No additional utility demand will be created.

These projects will directly replace water, sewer and stormwater utilities. Electricity, natural gas and telephone utilities are often located within the same rights-of-way and may affect the other utilities.

C. Signature [\[help\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____ *James B. Nicolls* _____

Name of signee: *James B. Nicolls, PE Senior Engineer*

Position and Agency/Organization: *City of Bellevue Utilities Engineering*

Date Submitted: *October 30, 2020*

2020-10-30

City of Bellevue Utilities Department

Attachment to Pre-SEPA Application

for Programmatic SEPA Review for specified minor utility replacement projects.

**Utility Contact Person: James Nicolls, P.E.
Senior Engineer
Bellevue Utilities Department
450 110th Ave. NE
Bellevue, WA 98004
425-452-2869**

I. REQUEST/PROPOSAL DESCRIPTION

The City of Bellevue Utilities Department proposes a Programmatic State Environmental Policy Act (SEPA) Review to cover a specific set of projects where sections of stormwater, water, and sewer infrastructure pipeline would be installed or replaced by a larger diameter pipeline. These projects include investments to maintain aging systems, to replace components that are reaching the end of their useful life, or projects necessary to meet system capacity as a response to growth and demand on the system. Projects will be designed and constructed in furtherance of the priorities and projects listed in the 2021 to 2027 Capital Improvement Plan.

This proposal will cover projects that could include maintenance of aging systems, repair of failing systems, replacement of components that are reaching the end of their useful life, and enlargement of an existing system to handle additional capacity. Projects could also include the installation of new facilities or systems, with limitations, when necessary to respond to growth and demand on the system. The project could also be part of road improvement projects that include utilities. This proposal will address the circumstance in which existing utilities are to be repaired, replaced, or newly installed in which the replacement pipe will exceed twelve inches in diameter. The addition of a larger pipe size to a project under the repair and replacement exemption under WAC 197-11-800(3) will not, in most cases, constitute “material expansion.”

This proposal will apply to the following City of Bellevue Utility actions within the three different settings approved in May 15, 2014 SEPA Programmatic Determination of Non-Significance:

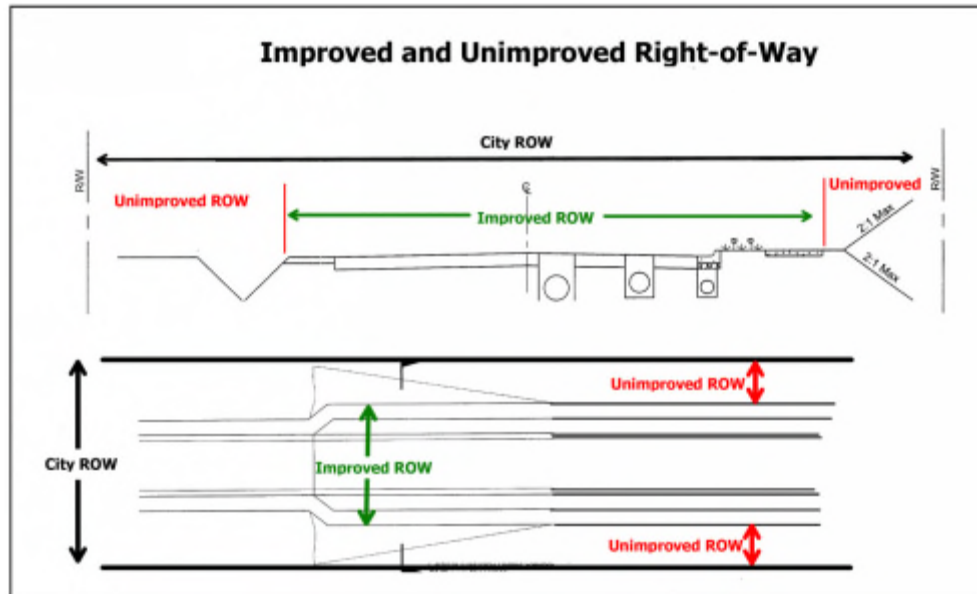
This 2020 application renews the DNS approved in 2014 for programmatic utility replacement. RP

Type 1 Utility Projects in City Right of Way (ROW) or Public Easements Outside of Critical Areas.

Projects within improved or unimproved rights-of-way (ROW) or public easements that are outside of critical areas, buffers or setbacks must meet the following to be covered by this programmatic SEPA Determination of Non-Significance (DNS).

- New or expanded utilities can exceed 12 inches in diameter in the improved/unimproved ROW and public easement. Public right-of-way and easements can be improved or unimproved as depicted below in figure 1.

Figure 1



- Pipe size is not limited within the area of permanent improvements within the ROW or within an easement with is currently paved for a parking lot or similar use or where non-native vegetation is maintained. Permanent improvements include impervious surfaces and areas where vegetation is regularly maintained or mowed. This includes roadside ditches used for roadside drainage, as long as such ditches are not also streams. (See Exhibits A, B, and D.)
- Utilities may be attached to an existing bridge with no limit to pipe size, except that dictated by the capacity of the structure to accommodate the utility and provided that utilities may be within the fill slope of the road prism not within the existing improved area.
- Appearances such as valves, manholes, catch basins, etc. are included as long as the disturbed area related to the roadway or the area originally disturbed in a utility easement is not increased.
- If utilities are part of a Transportation project, the Transportation project must also be SEPA exempt, and utilities must be installed within are area of disturbance of the Transportation project, otherwise separate SEPA review is required associated with the transportation project.
- Placement of open streams into pipes or relocation or alteration of the configuration of existing stream culvers or closed streams is not included in this programmatic SEPA DNS and requires separate SEPA review.

- When utilities cross streams the utility must be within the improved area of the roadway at a depth above or below the stream culvert which does not restrict the future replacement of a culvert or fish barrier removal. The depth of the utility above the culvert will be determined by establishing the natural stream bottom elevation both upstream and downstream of the culvert and providing at least 48 inches of clearance above the line of stream bottom elevation projected through the road prism for streams or at least 24 inches of clearance below the line of stream bottom elevation for less than 5 cubic-feet-second flow and determined on a case-by-case basis for larger streams. (See Exhibit C.)
- All work in an easement must be in an area that was previously disturbed and cleared for construction.

Type 2 Utility Projects in Right of Way (ROW) or Public Easements within Critical Areas, Wetlands, Geologic Hazard areas and Streams, including Stream Buffers.

Projects within improved or unimproved rights-of-way (ROW) or public easements within critical areas or stream buffers must meet the following to be covered by this programmatic SEPA Determination of Non-Significance (DNS). Note: Improved ROW is not included in stream buffers pursuant to LUC 20.25H.075.C.2.b if the part of the critical area buffer on the other side of the right-of-way provides insignificant biological or hydrological function in relation to the portion of the buffer adjacent to the stream.

- Utilities projects which are in a wetlands, geologic hazard areas and streams including stream buffers (riparian corridor) and result in a material expansion and Require a Critical Areas Land Use Permit pursuant to LUC 20.25H.055 require SEPA review associated with the Critical Areas Land Use Permit and are not addressed by this programmatic SEPA review.
- Utilities projects which are in a wetlands, geologic hazard area and stream including stream buffer (riparian corridor) and are a repair, replacement or expansion and meet the standards of LUC 20.25H.055 footnotes 1 and 2 of **not** requiring a Critical Areas Land Use Permit because the area of permanent disturbance of the critical area or critical area buffer is not expanded are subject to the following provisions.
 - Projects can be only within Type F, N and O stream types: Not allowed in Type S.
 - No projects within the Shoreline Overlay District which includes Lake Washington, Lake Sammamish, Phantom Lake, Mercer Slough, and Lower Kelsey Creek are included in this programmatic SEPA DNS.
 - For repair and maintenance or in-kind replacement, no disturbance in easements is allowed outside the area disturbed by the original construction.
 - For expansion, no disturbance is allowed outside the area of permanent disturbance. Any expanded facility must be consistent with adopted utility plans which have undergone SEPA review. (See Exhibit E.)

- Utilities within wetlands, streams, ponds or stream buffers must be bored or drilled under the critical area: steep slopes forming stream buffers must also be bored or drilled. Bore pits must be located outside critical area or stream buffer, except that bore pits may be located within areas of existing permanent disturbance within stream buffers. (See Exhibit F.)
- Projects in steep slope critical areas must be
 - Within existing utility access or maintenance corridor used by the Utilities Department as indicated on Exhibit H and do not require boring unless part of a stream buffer.
 - No disturbance in easements is allowed outside the area disturbed by the original construction.
 - A geotechnical report must document that the steep slopes are not unstable and that the installation will not result in a decrease in stability
- Replacement of stormwater pipes which are enclosing segments of streams are not included as part of this programmatic SEPA DNS.
- Any disturbed area must be restored with native plants that may use the City's planting templates in the Critical Areas Handbook. The area of disturbance must be restored prior to final inspection or within 30 days following work completion.
- Tree removal from critical areas or stream buffers is not allowed.
- Work shall be consistent with all applicable City of Bellevue codes and standards: All permits required will be obtained by the Utilities Department prior to commencing work.

Type 3 Utility Projects in Right of Way (ROW) or Public Easements in a Wetlands or Geologic Hazard areas Buffer (Excluding Streams) or Structure Setback.

Projects expanding existing systems in a buffer (excluding stream buffer) or structure setback which result in a pipe size more than 12 inches must meet the following to be covered by this programmatic SEPA Determination of Non-Significance (DNS).

- Utilities must be existing within the buffer or setback and cannot be an entirely new system component.
- No projects within the Shoreline Overlay District which includes Lake Washington, Lake Sammamish, Phantom Lake, Mercer Slough, and Lower Kelsey Creek are included in this programmatic SEPA DNS.
- Utilities projects which require a Critical Areas Land Use Permit pursuant to LUC 20.25H.055 require SEPA review associated with the Critical Areas Land Use Permit and are not addressed by this programmatic review.
- Utilities projects which are in a critical areas buffer or setback (excluding stream buffer) must meet the standards of LUC 20.25H.055 footnotes 1 and 2 of not requiring

a Critical Areas Land Use Permit because the area of permanent disturbance of the critical area or critical area buffer is not expanded. If a Critical Areas Land Use Permit is required pursuant to LUC 20.25H.055 the project will require SEPA review associated with the Critical Areas Land Use Permit and are is addressed by this programmatic review.

- Projects can be only within Type F, N and O stream types: Not allowed in Type S.
- No projects within the Shoreline Overlay District which includes Lake Washington, Lake Sammamish, Phantom Lake, Mercer Slough, and Lower Kelsey Creek are included in this programmatic SEPA DNS.
- For repair and maintenance or in-kind replacement, no disturbance in easements is allowed outside the area disturbed by the original construction.
- For expansion, no disturbance is allowed outside the area of permanent disturbance. Any expanded facility must be consistent with adopted utility plans which have undergone SEPA review.
- Pipes should be bored or drilled to qualify as not expanding disturbance unless the affected buffer area is permanently disturbed and maintained in non-native vegetation (See Exhibit G.). Entry/exit pits should not be located in a buffer except where located within areas of existing permanent disturbance within buffer. (See Exhibit F.) Other installation techniques than boring may be allowed if vegetation within the buffer is degraded and restoration will improve ecological functions or if no other alternative is demonstrated to Land Use Staff.
- No new impervious surface is allowed within buffers or setbacks.’
- Any temporary disturbance is required to be restored to existing or better condition. Permanent disturbance results if project work occurs for more than one growing season and is not included in this programmatic DNS. Removal of trees less than 4 inches in diameter is allowed as temporary disturbance. Removal of significant trees as defined in LUC 20.50.046 is prohibited.
- Projects which will cause temporary disturbance within buffers or structure setbacks must photo-document the area of disturbance (pre-construction) and note any disturbed areas on the plans as part of the development permit applications.
- Any disturbed area must be restored with native plants that may use the City’s planting templates in the Critical Areas Handbook. The area of disturbance must be restored prior to final inspection or within 30 days following work completion.
- Monitoring of restored areas is required for at least a 1-year period which may be extended depending upon the scale of restoration needed for a specific project.
- Work shall be consistent with all applicable City of Bellevue codes and standards: All permits required will be obtained by the Utilities Department prior to commencing work.

All projects must meet the following general performance standards:

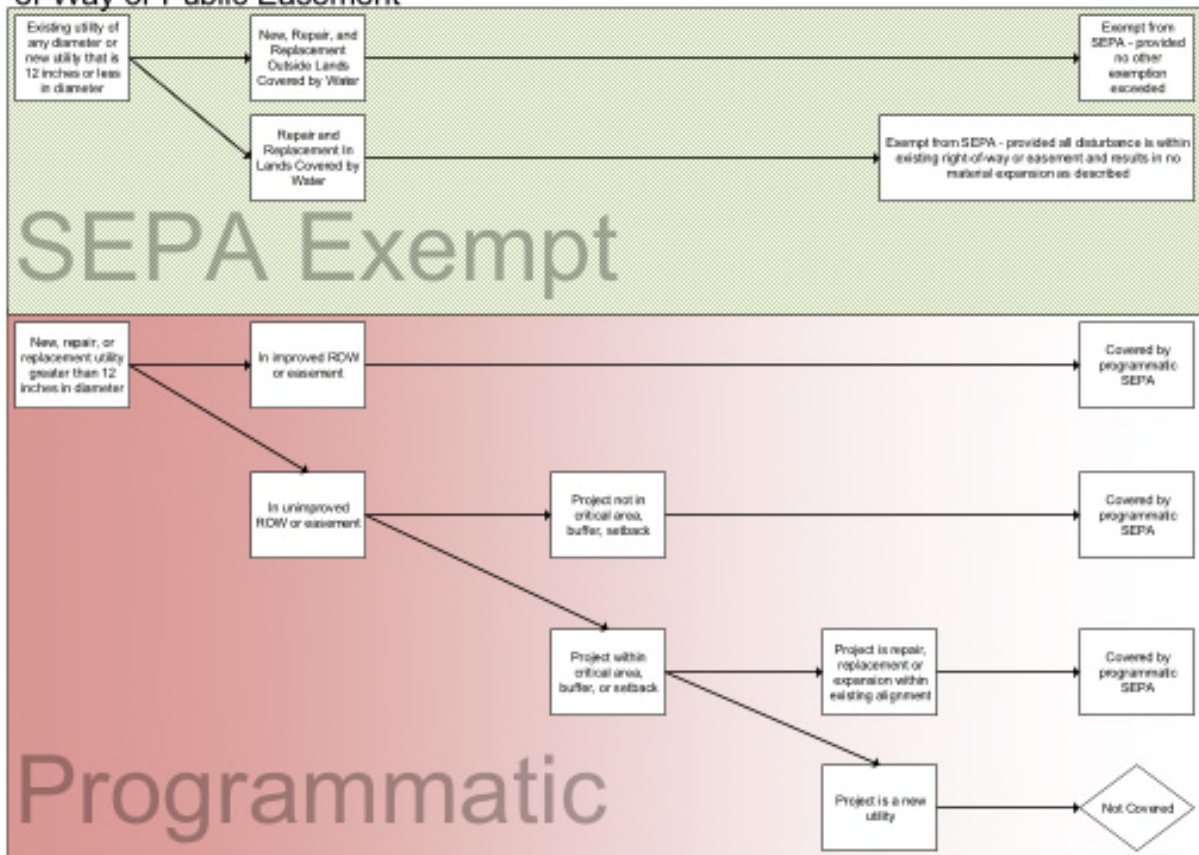
- Tree Removal: No trees in wetlands, streams, stream buffers or steep slopes can be removed. No tree removal should be needed as utilities will be bored under wetlands, streams and their buffers and work on steep slopes will be within the existing access roads and corridors. No tree larger than 4 inches in diameter can be removed within buffers or setbacks, excluding stream buffers.
- Areas of temporary disturbance: Temporary disturbance is any work which lasts less than one growing season.
- Projects with impacts over one growing season are causing permanent disturbance and are not covered by this programmatic SEPA.

The following evaluation should be applied to each potential project to determine if the programmatic review can be used.

- The project is within improved public right of way or public easement and is covered by this programmatic review
- The project is within unimproved public right of way or public easement outside of critical areas, buffers, or setbacks and is covered by this programmatic review.
- Projects in unimproved public right of way or public easement and located in critical areas, buffers, or setbacks are limited to those actions characterized as repair, remodeling and maintenance under WAC 197-11-800(3) that may include the replacement of existing facilities with larger pipes and facilities and are covered by this programmatic SEPA if:
 - The enlarged utility line, replacing the existing, is placed in the same right-of-way or easement alignment and not in a new alignment, causing new disturbance (i.e. “in-place”).
 - All disturbances of the ground and vegetation on the surface are contained within the existing public right of way or easement corridor.
 - All projects are subject to the BMPs found in the latest version of the City of Bellevue Clearing and Grading Best Management Practices.

Figure 2 (attachment 2) below depicts a flowchart showing what projects qualify for coverage under this programmatic SEPA proposal. Each application will include a notification form.

SEPA Exemption or Programmatic Coverage of Utilities in the Existing Public Right-of-Way or Public Easement



II. SITE DESCRIPTION, ZONING, & LAND USE CONTEXT

The Programmatic Permit and SEPA Review include locations throughout the City of Bellevue. The subject activities are occurring within a wide variety of zoning districts from residential to commercial to light industrial. Subject activities occur in City right-of-ways; easements outside of critical areas; wetlands, streams, and lakes not within shoreline jurisdiction; and critical area steep slopes.

III. POTENTIAL IMPACTS AND MITIGATION

This programmatic environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. The Environmental Checklist submitted with the application discloses expected environmental impacts associated with the proposal. The City codes and requirements, including the Clear and Grade Code, Utility Code, Land Use Code, Noise Ordinance, Building Code and other construction codes are expected to mitigate potential environmental impacts. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements.

The primary purpose of the proposed programmatic SEPA review is to address instances where an existing or new system or facility is proposed that is larger than 8 inches in diameter and is therefore not a categorical exemption provided in WAC 197-11-800(23)(b). These utility exemptions continue to apply in Critical Areas pursuant to BCC 22.02.032.D. This programmatic SEPA review assesses potential impacts of projects which will have a pipe size large than 12 inches in diameter.

A. Earth and Water

Bellevue's rainy season work restrictions and Best Management Practices (BMP) for erosion and sedimentation control will limit the potential for detrimental impacts from erosion and sedimentation. The majority of the proposed projects are anticipated to be within the improved portions of road rights-of-way (sidewalk to sidewalk) and easements where previous disturbance occurred at the time of initial installation and where paving for parking lots or ornamental vegetation has been maintained.

Stockpiled material will be temporarily stored in the existing road prism. Work will consist of breaking the existing pavement and excavating a ditch to install the facility.

Facilities crossing streams in existing road prisms will be installed above or below the existing culvert and the utility installation will be required to be at a depth above or below the culvert that would not restrict the future replacement of a culvert that is a barrier to fish movement. This will be confirmed on fish bearing streams by establishing upstream and downstream natural stream bottom elevation and providing at least 48 inches of clearance above or 36 inches below the line of stream bottom elevation projected through the road prism for streams of less than 5 cfs flow. For streams with larger flow the determination of needed clearance will be made on a case-by-case basis.

Where utilities are installed in conjunction with a minor road and street improvement that is exempt as provided in Washington Administrative Code (WAC) 197-11-800(2)(c) provided the utility installation will be located in the area otherwise cleared and graded by the exempt road and street improvement and will not add disturbed area.

Pipelines that cross wetlands and streams must be bored or drilled under those resource areas. Buffers are maintained, except in those cases where buffers are currently disturbed and restoration after installation will improve ecological conditions.

Within critical area steep slopes replacement or expanded pipelines by a pipelines will be located within the existing utility corridor in which native vegetation has been removed and which is used periodically by utility. No disturbance would occur outside the area disturbed for original installation. A geotechnical report must document that the slopes are not unstable and that the installation will not result in a decrease in stability.

BMPs required by the Clearing and Grading Code will include:

- Silt fencing which will provide a barrier to sediment leaving the site in stormwater runoff.
- Catch basin inlet protection which will assure that materials carried by rain and runoff

will be intercepted and discharge to the storm drainage system and ultimately streams will be reduced.

- Temporary sedimentation ponds which will assure that sediments carried by rain and runoff will be allowed to settle prior to discharge to the storm drainage system, reducing the sediment load into the streams the runoff eventually enters.
- Covering for slopes and stockpiles which will reduce the potential that excavated and stockpiled materials will be eroded by rainfall or transported in runoff.
- Others as needed

Turbidity monitoring may be required for work in or near streams and wetlands.

For work within the City's right-of-way a Right of Way Use Permit will be required and reviewed by the Transportation Department.

B. Air

Air quality emissions from construction activities are a minor component of regional air pollutants. There are areas in Bellevue that do not conform to air quality standards. Construction activities are not likely to have local or regional impacts.

C. Plants and animals

The majority of work under this programmatic permit will be completed in existing road prisms, utility corridors, and easements where non-native vegetation is established. There is the potential for installation to occur within buffers that have been previously disturbed. Replacement will be completed such that the width of the corridor of disturbance is limited and no trees greater than 4 inches in diameter are removed, and the disturbed area is subsequently restored.

Projects on the fringe of critical areas can affect habitat for reptiles, amphibians, birds and mammals. The proposed activities are designed to be minimally invasive for short periods of time. Native vegetation largely will not be affected. Trees larger than 4 inches in diameter will not be removed. The requirement for boring under wetlands and streams and in most buffers will limit direct impacts. Entry and exit pits will be located outside of buffers except where existing vegetation within buffers is degraded. Restoration requirements will provide for restoration, and in some cases likely improvement of ecological functions of buffers.

D. Noise

Proposed utility installations may occur adjacent to various land uses. Construction noise is limited by the City's Noise Ordinance (Chapter 19.18 BCC) which regulates hours and noise levels and achieves acceptable levels of temporary noise impacts generally acceptable to the affected community.

Exhibits

- A. Facilities in Existing Improved Roads Outside of Critical Areas and Buffers (Cross Section)
- B. Facilities in Existing Improved Roads Outside of Critical Areas and Buffers (Plan View)
- C. Facilities Crossing Streams In Existing Road Prism
- D. Facilities on Easements Outside of Critical Areas
- E. Facilities on Easements Within Critical Areas
- F. Facilities within Critical Areas and Buffers not Within Shoreline Jurisdiction, Facilities Perpendicular to Buffer
- G. Facilities within Critical Areas and Buffers not Within Shoreline Jurisdiction, Facilities in and Parallel with Buffer
- H. Facilities within Critical Area Steep Slopes

Not included